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E-filed 9/6/06

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Attorneys for Nominal Defendant
APPLE COMPUTER, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL PRIEBE and CYNTHIA PRIEBE,
Plaintiffs,

v.

STEVEN P. JOBS, FRED D. ANDERSON,
WILLIAM V. CAMPBELL, MILLARD S.
DREXLER, ALBERT A. GORE, JR.,
ARTHUR D. LEVINSON, JEROME B.
YORK, EDGAR S. WOLLARD, JR.,
GARETH C. C. CHANG, DELANO E.
LEWIS, KATHERINE M. HUDSON,
JONATHAN RUBINSTEIN, TIMOTHY D.
COOK, AVADIS TEVANIAN, JR.,
GUERRINO DE LUCA, ROBERT
CALDERONI, and MITCHELL MANDICH,

Defendants,

- and -

APPLE COMPUTER, INC.,
a California corporation,

Nominal Defendant.

Case No. C 06-04703-WHA

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
DEFENDANTS TO RESPOND TO
COMPLAINT**

1 IT IS HEREBY STIPULATED by and between Plaintiffs Michael Priebe and Cynthia
2 Priebe ("Plaintiffs") and Nominal Defendant Apple Computer, Inc. ("Apple") as follows:

3 WHEREAS, Plaintiffs filed their complaint against Apple on August 2, 2006; and

4 WHEREAS, Apple's undersigned counsel have obtained authorization to accept service
5 of process on behalf of Apple and several of the individual defendants, and are in the process of
6 seeking such authority from others, and are discussing representation issues with the individual
7 defendants;

8 WHEREAS, Plaintiffs have agreed to extend to October 6, 2006, the time for all
9 defendants to move or plead in response to Plaintiffs' complaint;

10 NOW, THEREFORE, pursuant to Civil Local Rule 6-1, the parties hereby stipulate as
11 follows:

12 All defendants who have been served to date, and all defendants who shall subsequently
13 accept service and request to be covered by this stipulation, shall have an extension of time to
14 answer or otherwise respond to Plaintiffs' complaint to October 6, 2006.

15 IT IS SO STIPULATED.

16 Dated: August 17, 2006

GEORGE A. RILEY
DAVID M. FURBUSH
LUANN L. SIMMONS
O'MELVENY & MYERS LLP

19 By: /s/Luann L. Simmons

20 Luann L. Simmons

21 Attorneys for Nominal Defendant
22 APPLE COMPUTER, INC.

23 Dated: August 17, 2006

PETER A. BINKOW
GLANCY BINKOW & GOLDBERG LLP

25 By: /s/Peter A. Binkow

26 Peter A. Binkow

27 Attorneys for Plaintiffs
28 MICHAEL PRIEBE and CYNTHIA PRIEBE

CERTIFICATION OF CONCURRENCE

I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Peter A. Binkow.

Dated: August 17, 2006

GEORGE A. RILEY
DAVID M. FURBUSH
LUANN L. SIMMONS
O'MELVENY & MYERS LLP

By: /s/ Luann L. Simmons

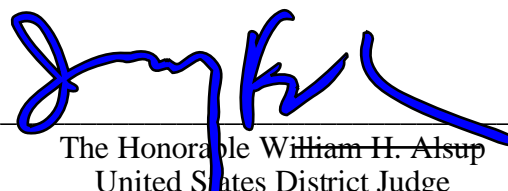
Luann L. Simmons

Attorneys for Nominal Defendant
APPLE COMPUTER, INC.

[PROPOSED] ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Dated: 9/5/06


The Honorable William H. Alsup
United States District Judge
Jeremy Fogel

MP1:986078.1